

**MINUTES OF A PUBLIC HEARING AND A REGULAR  
MEETING OF THE COMMON COUNCIL OF THE  
CITY OF JASPER, INDIANA  
JULY 21, 2010**

A public hearing was held on Wednesday, July 21, 2010, in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor William J. Schmitt called the public hearing to order at 6:30 p.m.

**Roll Call.**

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prechtel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the council members must be in attendance. All seven members were in attendance; therefore, there was a quorum for the hearing.

**Purpose.** Mayor Schmitt said the purpose of the public hearing concerns the updated Comprehensive Plan of the City of Jasper including the Land Use Plan and the Thoroughfare Plan Elements for the Jasper Planning area.

Notice appeared in the Herald on July 10, 2010 and a notice was posted at City Hall and faxed to the news media.

Mayor Schmitt said, with respect to tonight's public hearing, we are hereby incorporating by reference into the record of this public hearing, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance and Subdivision Control Ordinance and Flood District and Flood Damage Prevention" and any and all Amendments thereto, and the City of Jasper Comprehensive Plan.

Kevin Senninger, representing Ratio Architects the lead consultant for developing the Comprehensive Plan, gave a power point presentation which included such topics as the public input process, the Plan highlights, a future land use map and highlights, a future Thoroughfare Plan and transportation highlights, and implementation.

## **COMMON COUNCIL MEETING CALLED TO ORDER**

Since the regular meeting was scheduled to begin at 7:00 p.m., Presiding Officer Mayor Schmitt stopped the public hearing long enough to call the regular meeting of the common council to order and the clerk-treasurer call the roll.

### **Roll Call.**

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prechtel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
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Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven members were in attendance; therefore, there was a quorum for the meeting.

## **PUBLIC HEARING RESUMES**

Mayor Schmitt then continued with the public hearing.

Senninger acknowledged that as a final step in the comprehensive plan updating process a meeting needs to be scheduled with the Plan Commission, Common Council and any other interested parties for 'Plan Training'. He said providing the training is part of the contract and would be at no additional cost to the City.

There was some discussion about putting the Plan on the City's website.

Mayor Schmitt then asked for public comments. No comments were received.

Thereafter, a **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Thomas Schmidt to close the public hearing. The motion carried 7-0 and the hearing closed at 7:05 p.m.

## **COUNCIL MEETING RESUMES**

At 7:05 p.m. Mayor Schmitt said the regular council meeting that was called to order at 7:00 p.m. will resume. The meeting was delayed due to the length of the 6:30 p.m. public hearing.

### **Approval of the minutes.**

The following minutes were distributed to and examined by the Council:

1. June 28, 2010 regular Common Council meeting
2. June 28 2010, 6:30 p.m. public hearing to provide interested parties an

opportunity to express their views on a proposed federally funded CDBG Disaster Recovery project which will make improvements to the City's wastewater system

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Kevin Manley to approve the minutes as published. Motion carried 7-0.

**Utility Service Board.** General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on July 19, 2010. Copies of the minutes are supplied to each council member.

**Appointments to the Jasper Redevelopment Commission.**

Mayor Schmitt said recently the City established a Department of Redevelopment that is controlled by a board known as the Jasper Redevelopment Commission. The Common Council needs to appoint two members to this Commission.

Council member Thomas Schmidt recommended appointing John Schroeder and Ray Howard.

A **motion** was made by Council member David Prechtel and seconded by Council member Thomas Schmidt to appoint John J. Schroeder and Raymond H. Howard to the Jasper Redevelopment Commission. Motion carried 7-0.

Mayor Schmitt said he appoints three members to the Commission and one school board member to serve as a nonvoting advisory member. Nancy Habig from the school board agreed to serve. Schmitt said he is waiting for one person to respond by Friday whether or not he wants to serve on the Board but as of now John Kahle and Rick Stradtner have agreed to accept the appointment to the Board.

**ORDINANCE NO. 2010-8 AN ORDINANCE ANNEXING CERTAIN ADJACENT AND CONTIGUOUS TERRITORY INTO THE CORPORATE LIMITS OF THE CITY OF JASPER, INDIANA (Rolling Hills West Area)**

This ordinance annexes 8.87 acres located in the Rolling Hill Subdivision.

A motion was made by Council member John Schroeder and seconded by Council member David Prechtel to have the ordinance read on third and final reading by title only. Motion carried 7-0. The ordinance was so read. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Ambrose 'Butch' Schitter to approve Ordinance No. 2010-8 on the third and final reading. Motion carried 7-0.

A public hearing and first reading was held on May 19, 2010. The fiscal plan was adopted and seconding was held on June 28, 2010. The annexation is effective 30 days after publication of the ordinance.

**ORDINANCE NO. 2010-14 AN ORDINANCE VACATING A PORTION OF A PUBLIC UTILITY EASEMENT**

This ordinance vacates a portion of a public utility easement on Lot 1, 2, 3, and 4 in the Hopf and Dick, First Addition.

A motion was made by Council member Ray Howard and seconded by Council member Randy Buchta to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randy Buchta and seconded by Council member Kevin Manley to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Kevin Manley to pass and adopt ordinance No. 2010-14. Motion carried 7-0.

**ORDINANCE NO. 2010-15 AN ORDINANCE AMENDING ORDINANCE NO. 2010-2 ENTITLED 'AN ORDINANCE APPROVING AND AUTHORIZING A LOAN OF FUNDS BETWEEN THE ELECTRIC DISTRIBUTION DEPARTMENT AND THE WATER DEPARTMENT WITHIN JASPER MUNICIPAL UTILITIES, AND OTHER MATTERS CONNECTED THEREWITH'**

This ordinance amends Ordinance No. 2010-2 to increase the amount of committed funds if the grant application to EDA for the Beaver Creek Lake Dam improvements is approved.

A motion was made by Council member Ray Howard and seconded by Council member David Prechtel to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Kevin Manley to have the ordinance read by title only. Motion carried 7-0. The ordinance was so read. Thereafter, a motion was made by Council member John Schroeder and seconded by Council member Randy Buchta to pass and adopt Ordinance No. 2010-15. Motion carried 7-0.

Under discussion, City Attorney Sandra Hemmerlein said since Ordinance No. 2010-2 was passed, adopted, and amended, an additional review of the project has taken place and the project cost has risen. The biggest cost increase comes from including the removal of the intake tower. The project cost is now estimated at \$3,274,000.00. The EDA has indicated the City could be eligible for up to \$2,228,640.00 in EDA funds which means the total commitment of non-federal funds is now \$1,045,360.00. The water department has sufficient funds to cover the additional amount of funding that has now been indicated may be necessary.

**Resolution No. 2010-5, updating the comprehensive plan**

Mayor Schmitt said the Jasper Plan Commission approved adopting the comprehensive plan and certified approval of the Plan to the Common Council.

The Council needs to take action by: [1] adopting the resolution *approving* the comprehensive plan; [2] adopting a resolution *rejecting* the comprehensive plan; or [3] adopting a resolution *amending* the comprehensive plan.

A **motion** was made by Council member David Prechtel and seconded by Council member Kevin Manley to adopt Resolution No. 2010-5 and approve the Comprehensive Plan. Motion carried 7-0.

Under discussion Council member David Prechtel said he thinks this is a great Plan for the future of Jasper and feels we have an obligation to the City to see that it is implemented.

**Citizen issues.** Charles Parker, 4061 Lee Drive, said he had two issues to bring before the Council. He asked who the developer is of the apartment complex at 41<sup>st</sup> and Manor and if the ordinance about mowing grass applied to that property while the building is under construction because the weeds are growing and the grass needs cut. Mayor Schmitt told Parker that the City code enforcement officer will make contact with the property owner.

Parker said there is a puddle in front of his house at 41<sup>st</sup> and Lee Drive that has grown to two feet now. The street department looked at it several years ago. He said birds are bathing in the puddle of water and mosquitoes are breeding.

Mayor Schmitt said the City will check on this matter also.

**JCAC.** Jasper Community Arts Commission member Nanette Parsons attended the meeting on behalf of the Board. She gave a report on their regular monthly meeting held in July.

**Adjournment.** There being no further business to come before the board, a **motion** was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 7:43 p.m.

The minutes were hereby approved \_\_\_\_ with X without corrections or clarification this 18<sup>th</sup> day of August, 2010.

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**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**

Margaret A. Kress, Recording Secretary